

2 G

ORIGINAL

FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

LANCE W. MARTIN,

Plaintiff

vs.

RED LION BOROUGH, KENNETH M. :

BOWMAN, BOROUGH MANAGER, :

RED LION MUNICIPAL AUTHORITY, :

and OFFICER DAVID WINGERT, :

Defendants

NO. 1: CV - 01 - 1107

JUDGE YVETTE KANE

JURY TRIAL DEMANDED

CERTIFICATE OF NON-CONCURRENCE

I, Cheryl L. Kovaly, counsel for Defendants Red Lion Borough, Kenneth M. Bowman, Red Lion Municipal Authority and Officer David Wingert, hereby certify that I have contacted the Plaintiff, Lance W. Martin, regarding his concurrence or nonconcurrence with this motion, and have determined that Mr. Martin does not concur in the Defendants' Motion to Dismiss his Complaint.

Respectfully submitted,

Lavery, Faherty, Young & Patterson, P.C.

By: Cheryl L. Kovaly
Cheryl L. Kovaly, Esquire

Atty No. 73693

301 Market St., Suite 800

P.O. Box 1245

Harrisburg, PA 17108-1245

Attys for Defendants

DATE: 11/13/01